

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VALASSIS COMMUNICATIONS, INC.,

Plaintiff,

v

Case No. 2:06-cv-10240
Hon. Sean F. Cox

NEWS AMERICA INCORPORATED,
a/k/a NEWS AMERICA MARKETING GROUP,
NEWS AMERICA MARKETING FSI, INC.
a/k/a NEWS AMERICA MARKETING IN-STORE
SERVICES, INC. a/k/a NEWS AMERICA
MARKETING IN-STORE SERVICES, LLC

Defendants

**REPORT AND RECOMMENDATION OF SPECIAL DISCOVERY MASTER
CONCERNING PLAINTIFF'S MOTION TO COMPEL DEFENDANTS TO COMPLY
WITH THE DECEMBER 23, 2008 REPORT AND RECOMMENDATION OF THE
SPECIAL DISCOVERY MASTER**

The matter before the Special Discovery Master is Plaintiff's Motion to Compel Defendants to Comply with the December 23, 2008 Report and Recommendation of the Special Discovery Master, dated January 8, 2009. The Special Discovery Master considered Plaintiff's Motion to Compel Defendants to Comply with the December 23, 2008 Report and Recommendation of the Special Discovery Master, dated January 8, 2009 and Defendants' Brief in Opposition to Plaintiff's Motion to Compel Discovery, with exhibits. A telephonic hearing was conducted on January 22, 2009. Based upon the pleadings of the parties and the discussions and reasons stated in the January 22, 2009 telephonic hearing:

IT IS HEREBY ORDERED THAT:

1. Plaintiff requested the production of expert rebuttal reports from the *Insignia* action. Defendants' counsel represented that neither Robert Blattberg nor Kevin Murphy

produced expert rebuttal reports in the *Insignia* action. Consequently, there is nothing to produce relative to Plaintiff's request.

2. Plaintiff has requested that the exhibits to the Blattberg and Murphy deposition transcripts be produced. Defendants' counsel represented that there are no exhibits to the Blattberg deposition transcript in the *Insignia* action. Defendants are ordered to produce the exhibits to the Murphy deposition transcript in the *Insignia* action on or before January 28, 2009. Defendants are further ordered to produce the exhibits to the Blattberg deposition transcript in the *Floorgraphics* action no later than February 2, 2009, but Defendants are to attempt to produce these exhibits on or before January 30, 2009.

3. Plaintiff objects to Defendants redaction of certain material from the Blattberg and Murphy expert reports produced to Plaintiff. Defendants are ordered to provide the expert reports without the redactions but this information shall not be made available to Plaintiff's in-house counsel and is only to be made available to outside lawyers and experts. Defendants may place a legend by this information stating the disclosure limitation. Defendants shall produce the Blattberg and Murphy reports without redaction, as described above, on or before January 28, 2009.

Respectfully submitted,

/s/ William A. Sankbeil
William A. Sankbeil
Special Discovery Master
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Dated: January 23, 2008

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2008, I electronically filed the foregoing Report and Recommendation of Special Discovery Master Concerning Plaintiff's Motion to Compel Defendants to Comply with the December 23, 2008 Report and Recommendation of the Special Discovery Master with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

By: /s/ William A. Sankbeil

William A. Sankbeil (P19882)

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